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5 CAS Dated 10/7/80

Approved For Release 2001/08/07 : CIA-RDP84-00933R000300030007-1

Executive Registry
X11-7448

THE WHITE HOUSE
WASHINGTON

DD/A Registry
80-2186

October 1, 1980

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS
AND AGENCIES

SUBJECT: Guidelines Concerning Official Dealings with
Members of the President's Family

The purpose of these guidelines is to caution government employees against dealing with members of the President's family in ways that create either the reality or the appearance of impropriety.

The primary responsibility to avoid impropriety of course rests on the President and the members of his family. The President has cautioned members of his family not only to observe these guidelines, but also not to place government employees in a position where the appearance of impropriety can occur.

There are three situations which need to be distinguished:

First are the cases where a member of the President's family is performing the duties or exercising the rights of any other citizen. The payment of taxes, military service, and entitlements to Social Security, agricultural, or educational benefits are typical examples. In all such cases, members of the President's family are to be treated the same way as anyone else. They are to seek no special favor, nor are they to be granted any.

Second are the cases where the President calls on a member of his family to act as his official representative at a ceremony, function or meeting in the United States or abroad. In such cases, government employees should afford the designated members of the President's family the courtesies and amenities appropriate to his or her official status and to the occasion -- no more, no less.

When members of the President's family take personal trips or where the government has information that their personal security may be threatened, they should be accorded the same treatment and protection as any other public figure.

Third are the cases in which a member of the President's family is seeking to do business with the government on his or her own behalf or to act as an agent for another person, firm or government seeking to do business with our government. Examples are the discretionary award of government contracts and the discretionary granting of valuable licenses.

In this third class of cases, there is a strong presumption against such dealings with a family member. Even though the family member's proposal or request may be entirely meritorious, and the government employee's response is the same as it would be regardless of the family relationship, many will believe, without any other evidence, that the government's response was influenced by the family member's status as such. While it could be argued that members of the President's family have the same right as any other citizen to have the government engage in discretionary dealings with them, this is a right that is best relinquished during the President's incumbency. The President has therefore cautioned family members from making such proposals or requests, and urges all government employees not only to reject all such proposals and requests, but to report their occurrence to the head of the department or agency, who should advise the Counsel for the President. In extraordinary cases where the responsible employee believes the proposal or request should be approved -- for example when the family member's business relationship with the government predates the President's incumbency and the relationship has not been exploited during his incumbency -- the approval of the department or agency head shall first be obtained.

Government employees should also apply a strong presumption against the discretionary disclosure to family members of information of potential economic value about existing or planned government policies or actions that is not generally available to the public.

These guidelines apply only to family members. They do not apply to any business entity with which a family member may be associated, so long as the family member does not participate in any way, and the family member's association is not otherwise exploited, in the entity's dealings with the government.

For purposes of these guidelines, the President's family consists of the President's parents, brothers, sisters and children, and the spouses of his brothers, sisters and children.

